



ATTORNEY DOCKET NO. TB 1041A-US 1915/13971US02

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

Applicants:

Sander, Tom, *et al.*

U.S. Serial No.: 09/701,933

Filed: August 20, 2001

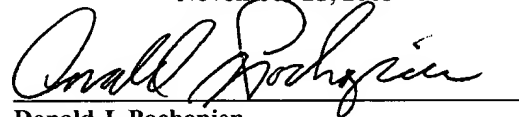
For: "ELONGATED CORTICAL BONE  
IMPLANT" (AS AMENDED)

Group Art Unit: 3738

Examiner: Bruce Edward Snow

I hereby certify that this paper (and all papers referred to herein) is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

November 25, 2003



Donald J. Pochopien  
Registration No. 32,167  
Attorney for Applicants

SECOND AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.119

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action of 09/29/03, finally rejecting all claims (claims 59-71) for which a response is due 11/29/03, the Applicants request that the Examiner exercise his discretion and enter an amendment to the specification, if he has not already done so, reciting the relationship between the two patents from which priority is claimed, as already noted on the Official Filing receipt. The amendment was not submitted before the first final rejection of 07/02/03 because the issue regarding the claim of priority was raised for the first time in the final Official Action of 07/02/03. While the Applicants submitted an amendment to the specification in their response to the final Official Action

RECEIVED  
DEC 04 2003  
TECHNOLOGY CENTER R3700

#25  
Amended (N.E.)  
S. Byper  
12/4/03

Entered  
by REC # 28

Do not  
1508 11/29/03

of 07/02/03, clarifying the claim of priority, the final rejection of 07/02/03 was withdrawn in favor of the final Official Action of 09/23/03. The amendment, if not already entered, is proper because it does not add new matter and would place the claims in better condition (relative the dates of the cited art) on appeal. The Applicants respectfully request that the Patent Office advise as to the status of the amendment.